

Message

From: Koch, Erin [Koch.Erin@epa.gov]
Sent: 10/16/2020 5:07:02 PM
To: Holloman, Rachel [Holloman.Rachel@epa.gov]
Subject: FW: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

FYI, the questions went somewhere in OPP from Alex too.

From: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>
Sent: Friday, October 16, 2020 1:01 PM
To: Koch, Erin <Koch.Erin@epa.gov>; Aranda, Amber <aranda.amber@epa.gov>
Subject: FW: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

FYI – just looping you in to any EPA communications that come my way.

From: Dunn, Alexandra <dunn.alexandra@epa.gov>
Sent: Friday, October 16, 2020 12:59 PM
To: Brightbill, Jonathan (ENRD) <JBrightbil@ENRD.USDOJ.GOV>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>
Cc: Oakes, Matthew (ENRD) <MOakes@ENRD.USDOJ.GOV>; Sell, Eric (ENRD) <ESell@ENRD.USDOJ.GOV>
Subject: RE: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Kamila, I'll get these to the program ASAP.

Alexandra Dapolito Dunn, Esq.
Assistant Administrator
Office of Chemical Safety and Pollution Prevention
US Environmental Protection Agency
Washington, DC

From: Brightbill, Jonathan (ENRD) <Jonathan.Brightbill@usdoj.gov>
Sent: Friday, October 16, 2020 10:40 AM
To: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Fotouhi, David <Fotouhi.David@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>
Cc: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>; Sell, Eric (ENRD) <Eric.Sell@usdoj.gov>
Subject: RE: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Very good. Thank you Kamila and Joe.

Jonathan D. Brightbill
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Environment and Natural Resources Division
U.S. Department of Justice
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Washington, D.C. 20530
Office: (202) 514-2766
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Jonathan.Brightbill@usdoj.gov

From: Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>
Sent: Friday, October 16, 2020 10:38 AM
To: Brightbill, Jonathan (ENRD) <JBrightbil@ENRD.USDOJ.GOV>; Fotouhi, David <Fotouhi.David@epa.gov>; Dunn,

Alexandra <dunn.alexandra@epa.gov>; Cole, Joseph E. <cole.josephe@epa.gov>

Cc: Oakes, Matthew (ENRD) <MOakes@ENRD.USDOJ.GOV>; Sell, Eric (ENRD) <ESell@ENRD.USDOJ.GOV>

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Jon,

Bob Perlis and Mark Dyner are no longer with EPA, but I'm adding Joe Cole for PTSLO. We'll work with OCSPP to set up something to address your questions.

Thanks,
Kamila

From: Brightbill, Jonathan (ENRD) <Jonathan.Brightbill@usdoj.gov>

Sent: Friday, October 16, 2020 10:33 AM

To: Fotouhi, David <Fotouhi.David@epa.gov>; Lis-Coghlan, Kamila <lis-coghlan.kamila@epa.gov>; Perlis, Robert <Perlis.Robert@epa.gov>; Dyner, Mark <dyner.mark@epa.gov>; Dunn, Alexandra <dunn.alexandra@epa.gov>

Cc: Oakes, Matthew (ENRD) <Matthew.Oakes@usdoj.gov>; Sell, Eric (ENRD) <Eric.Sell@usdoj.gov>

Subject: Hardeman - Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Attorney Client Privilege, Attorney Work Product, FOIA-Exempt Deliberative

Good morning EPA colleagues,

I hope this email finds all of you well. Matt O. may already be coordinating with you, but reminder the I will be arguing on behalf of the U.S. next week in the Hardeman v. Monsanto case in the Ninth Circuit. Recall that the U.S. submitted an amicus brief in support of Petitioner stating that FIFRA expressly preempts the plaintiff's state law failure to warn claim that Roundup should have borne a cancer warning, contrary to the EPA approved label. A copy of that brief is attached.

Ex. 5 Attorney Client (AC) / Deliberative Process

Thank you,
Jon

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